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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,925	02/12/2001	Karen Capers	01 P 7466 US	1795

7590 11/29/2004

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EXAMINER

CASIANO, ANGEL L

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/781,925	CAPERS ET AL.	
	Examiner	Art Unit	
	Angel L Casiano	2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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***Response to Amendment***

1. The present Office action is in response to Amendment dated 15 September 2004.
2. Claims 1-21 are pending. All claims have been examined.

***Specification***

3. Previous Objection to the Title has been overcome with the corrections included in the Amendment.

***Claim Objections***

4. Previous Objection to the Claims has been overcome with the corrections included in the Amendment.

***Claim Rejections - 35 USC § 112***

5. Previous Rejections have been overcome with the corrections included in the Amendment.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international

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application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. [US 2002/0069272 A1].

Regarding claim 1, Kim et al. teaches a method for providing a communication server (see Title, Abstract). The cited art also teaches the step of receiving a selection of at least one service option (see “request”; Page 2, col. 2, [0026], [0028]). Kim et al. also teaches receiving capacity information (see “space”; Page 3, col. 2, [0033] and [0034]) for at least one type of subscriber (see “client”). The reference applies a specified set of rules to produce a result set based on the service option selection and the capacity information; and determining *configuration parameters* for one or more network elements based on the result set (see Page 3, [0030] and [0034]).

As per claim 2, Kim et al. teaches provisioning information based on the result set; and provisioning each of the network elements based on the provisioning information (see “client command”, Page 2, [0026]; “resources available to a particular user”, Page 3, [0030]).

As for claim 3, Kim et al. teaches registering the network elements (see “content of the database”, “servers”, Page 3, col. 1, [0031]).

As per claim 4, Kim et al. teaches storing provisioning information (see “set of parameters that control”, Page 3, col. 1, [0030]).

As for claim 5, Kim et al. teaches storing results (see Page 3, col. 2, [0033]; Figures 4 and 6).

As per claim 6, Kim et al. explicitly teaches network elements located in a remote location (see Page 2, [0026], [0027]). These network elements would also be downloaded from the remote location (see Page 3, col. 2, [0034]).

As per claim 7, Kim et al. explicitly teaches receiving *authentication information* from an operator (see “user”, Page 3, col. 1, [0032]); determining whether the operator is authenticated based on the authentication information (see Figure 2); presenting *management options* when the operator is authenticated (see “interactive screen display”, Figure 3); the management options comprising network element provisioning (see Page 3, col. 2, [0033], [0034]); and receiving a *selection* of network element provisioning.

Regarding claim 8, Kim et al. teaches a system for providing a communication server (see Title, Abstract) as well as a computer-processable medium (see Figure 1). The cited art also teaches the logic for implementing the steps of receiving a selection of at least one service option (see “request”; Page 2, col. 2, [0026], [0028]). Kim et al. also teaches receiving capacity information (see “space”; Page 3, col. 2, [0033] and [0034]) for at least one type of subscriber (see “client”). The reference applies a specified set of rules to produce a result set based on the service option selection and the capacity information; and determining *configuration parameters* for one or more network elements based on the result set (see Page 3, [0030] and [0034]).

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As per claim 9, Kim et al. teaches the logic for provisioning information based on the result set; and provisioning each of the network elements based on the provisioning information (see “client command”, Page 2, [0026]; “resources available to a particular user”, Page 3, [0030]).

As for claim 10, Kim et al. teaches the logic for registering the network elements (see “content of the database”, “servers”, Page 3, col. 1, [0031]).

As per claim 11, Kim et al. teaches logic for storing provisioning information (see “set of parameters that control”, Page 3, col. 1, [0030]).

As per claim 12, Kim et al. teaches logic for storing results (see Page 3, col. 2, [0033]; Figures 4 and 6).

As per claim 13, Kim et al. discloses logic for determining configuration parameters. The reference explicitly teaches network elements located in a remote location (see Page 2, [0026], [0027]). These network elements would also be downloaded from the remote location (see Page 3, col. 2, [0034]).

As for claim 14, Kim et al. explicitly teaches the logic for the steps of receiving *authentication information* from an operator (see “user”, Page 3, col. 1, [0032]); determining whether the operator is authenticated based on the authentication information (see Figure 2); presenting *management options* when the operator is authenticated (see “interactive screen display”, Figure

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3); the management options comprising network element provisioning (see Page 3, col. 2, [0033], [0034]); and receiving a *selection* of network element provisioning.

Regarding claim 15, Kim et al. teaches a method for providing a communication server (see Title, Abstract). Therefore, the cited art also teaches the service engine for providing this server in order to determine configuration parameters for network elements based on a result set (see previous rejections). The present claim is therefore rejected under the same basis.

As for claims 16-20, Kim et al. teaches a method for providing a communication server (see Title, Abstract). Accordingly, the cited reference also teaches the service engine for providing this server in order to determine configuration parameters for network elements based on a result set (see previous rejections). The present claims are therefore rejected under the same basis.

Regarding claim 21, Kim et al. explicitly teaches receiving *authentication information* from an operator (see “user”, Page 3, col. 1, [0032]); determining whether the operator is authenticated based on the authentication information (see Figure 2); presenting *management options* when the operator is authenticated (see “interactive screen display”, Figure 3); the management options comprising network element provisioning (see Page 3, col. 2, [0033], [0034]); and receiving a *selection* of network element provisioning. Kim et al. teaches a method for providing a communication server (see Title, Abstract). The cited art also teaches the step of receiving a selection of at least one service option (see “request”; Page 2, col. 2, [0026], [0028]). Kim et al. also teaches receiving capacity information (see “space”; Page 3, col. 2, [0033] and [0034]) for at

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least one type of subscriber (see “client”). The reference applies a specified set of rules to produce a result set based on the service option selection and the capacity information; and determining *configuration parameters* for one or more network elements based on the result set (see Page 3, [0030] and [0034]). Kim et al. explicitly teaches network elements located in a remote location (see Page 2, [0026], [0027]). These network elements would also be downloaded from the remote location (see Page 3, col. 2, [0034]). Kim et al. teaches provisioning information based on the result set; and provisioning each of the network elements based on the provisioning information (see “client command”, Page 2, [0026]; “resources available to a particular user”, Page 3, [0030]). Kim et al. teaches registering the network elements (see “content of the database”, “servers”, Page 3, col. 1, [0031]). Kim et al. teaches storing provisioning information (see “set of parameters that control”, Page 3, col. 1, [0030]).

### ***Response to Arguments***

8. Applicant's arguments filed 15 September 2004 have been fully considered but they are not persuasive.

In the Remarks, Applicant argues that the reference does not teach the steps of “applying a specified set of rules to produce a result set based on the service option selection and the capacity information”. Examiner respectfully disagrees. Page 3, paragraph 34 teaches a set of rules to produce a result set (see “user modifies”) based on the service selection and capacity information (see memory space). Examiner respectfully submits that the user modification applies a set of rules that produce a result set.



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Applicant also argues, that the reference fails to teach the step of “determining configuration parameters for one or more network elements based on the result set” (claim 1). Examiner respectfully disagrees. The reference (Page 3, paragraph 34) explicitly teaches that the configuration parameters are stored in the database in form of tables. After the modification (and the *result*), the new configuration is determined and communicated to the server manager.

As for claim 2, the reference teaches receiving provisioning information (see Page 2, paragraph 26). As for claim 6, Page 3, paragraph 34 teaches the network elements located at a remote location (see “geographically remote”).

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Leslie et al. [US 2002/0107749 A1] teaches automatic customization method.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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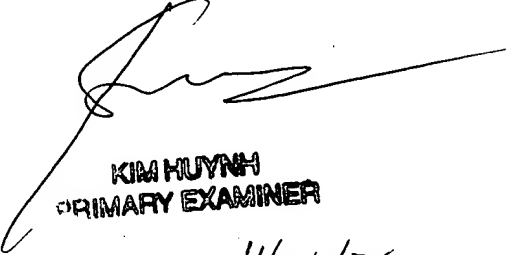
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc  
22 November 2004



KIM HUYNH  
PRIMARY EXAMINER  
11/24/04